# Brief of Chiaverini v. City of Napoleon (2024)

Facts: Jascha Chiaverini, the petitioner and owner of a jewelry store, purchased $45 worth of jewelry from a petty thief. The rightful owners contacted Chiaverini saying the jewelry he had purchased was their stolen property. He refused to turn over their property, and they subsequently called the police. Two officers instructed Chiaverini to return the jewelry to the people, but Chiaverini refused, saying the request contradicted a letter he had received from the police department telling him to retain the items as evidence. After again refusing to surrender the items to another officer the next day, Chiaverini indicated to the officer that he lacked a license to operate the store, which changed the angle of the investigation. With a warrant, they then arrested him and detained him for three days. The officers from Napoleon, Ohio charged him with three crimes: receiving stolen property (misdemeanor), dealing precious metals without a license (misdemeanor), and money laundering (felony). A court later dismissed the case after prosecutors failed to bring it before a grand jury on time. Under the belief his detention was unjustified, Chiaverini sued the officers, making a malicious-prosecution claim under the Fourth Amendment. For such a claim to be successful, Chiaverini had to demonstrate the charges lacked probable cause, and thus lead to an unreasonable search and seizure. The Sixth Circuit held the two misdemeanor charges as clearly having probable cause, but did not address whether the felony charge had probable cause. The Sixth Circuit reasoned that as long as probable cause existed for at least one of the charges then a malicious-prosecution claim based on any of the other charges, even if they were baseless, should fail.

Procedural History:

* Filed in District Court, which granted summary judgement to the officers
* Appealed to the Court of Appeals for the Sixth Circuit, which affirmed the District Court.
* Appealed to the U.S. Supreme Court, which granted certiorari to resolve a circuit split

Issue:

1. Can a malicious-prosecution claim under the Fourth Amendment with respect to a baseless charge proceed even if other charges brought alongside it did have probable cause?

1. Since a malicious-prosecution suit depends on both an unsupported charge and said charge causing the seizure, how should this element of causation be

considered?

Holding:

1. Yes, malicious-prosecution suits may proceed when other charges have probable cause.
2. Court will not rule on the matter and defer it to the lower court.

Judgment: Vacated and Remanded.

Opinions:

Kagan (majority), joined by Roberts, Sotomayor, Kavanaugh, Barrett, and Jackson ● Courts should perform a charge-by-charge analysis in suits like Chiaverini’s suit.

○ Reasoning based on Fourth Amendment law: pre-trial detentions require probable cause. Even if initially justified, the detention could be unreasonably prolonged. If an invalid charge is the reason for the start or continuation of someone’s detention, then the Amendment is violated even if other valid charges have been brought.

■ Hypothetical: person is detained on a valid drug charge and an invalid gun charge. Prosecutors drop the valid drug charge and keep the person detained on the invalid gun charge. This is an unconstitutional pre-trial detention.

○ Common law analysis: Boogher and Barron both agreed that probable cause existing for some of the charges did not dismiss the other claims deemed invalid.

○ So, neither the Fourth Amendment nor malicious-prosecution tort invoked from analogy support the rule created by the Sixth Circuit.

○ Other issues regarding the causation of the detention will not be considered.

Thomas (dissent), joined by Alito

* A malicious-prosecution claim cannot be based on the Fourth Amendment because:

○ The three elements needed to establish a malicious-prosecution claim—(i) proceeding was initiated without probable cause, (ii) motive for the suit was malicious, (iii) prosecution terminated in acquittal or discharge—are incongruent with what is required to determine a Fourth Amendment violation.

○ An unreasonable search and seizure may occur absent prosecution, absent malicious motives, and the result of subsequent prosecution does not matter. Also, malicious-prosecution claims do not require a search and seizure.

○ Combining Fourth Amendment and malicious-prosecution frameworks will cause confusion.

Gorsuch (dissent)

* The Fourth Amendment does not mention prosecutions.
* Claim is better housed under the Fourteenth Amendment.

Relation to Other Cases:

* Thompson v. Clark (2022)
* Manuel v. Joliet (2017)
* Boogher v. Bryant (1885)
* Barron v. Mason (1858) Source of Law:
* Fourth Amendment
* 42 U. S. C. §1983 System Operations:
* Speaks on how judges may not be able to adhere to precedents they disagree with, as in the case of Thomas, Alito, and Gorsuch who dissented in Thomas as well.
* Demonstrates importance of magistrates ensuring high accuracy with matters concerning constitutional rights issues.

Impact:

* Charges can be considered separately for a malicious-prosecution suit.
* Police will be more careful to not overcharge because one valid charge will not cut them out of a suit.